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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,133	08/30/2001	Juliana Freire Silva	Silva 8-11-15	9329

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Lucent Technologies Inc.
Docket Administrator (Room 3J-219)
101 Crawfords Corner Road
Holmdel, NJ 07733-3030

EXAMINER

EDELMAN, BRADLEY E

ART UNIT PAPER NUMBER

2153

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/943,133

Applicant(s)

SILVA ET AL.

Examiner

Bradley Edelman

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/30/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a first Office action on the merits of this application. Claims 1-36 are presented for examination.

Specification

1. The disclosure is objected to because it contains embedded hyperlinks. Applicant is required to delete the embedded hyperlinks. See MPEP § 608.01.

Claim Objections

2. Claim 22-27 is objected to because of the following informalities: The phrase "a computer readable media" in the preamble of claim 22 contains incorrect grammar. It appears that the word "media" should read "medium." Claims 23-27 also use the word "media." Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 and 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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In considering claim 3, the phrase "Web client" lacks sufficient antecedent basis. Examiner will interpret the phrase for purposes of prior art rejections to mean "originating device."

In considering claim 19, the term "essentially" in the claim is a relative term that renders the claim indefinite. The term "essentially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claims 20-21 depend from claim 19 and are thus rejected as well.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 7-8, 10-15, 17-20, 22-25, 27-32, 34, and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Daswani et al. (U.S. Patent No. 6,477,565, hereinafter "Daswani").

In considering claim 1, Daswani discloses a method comprising:

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receiving a request from an originating device for a particular personalized Web view (col. 11, lines 8-12, "a client initiates a request for data"), the request indicating the type of the originating device (col. 11, lines 35-39, wherein a specific "user ID" indicates the type of originating device);

retrieving a stored specification of the Web view (col. 11, lines 45-50, "template");

accessing a particular Web page indicated in the specification of the Web View (col. 11, lines 45-50, "data source");

extracting in accordance with the specification at least one component on the accessed Web page that is relevant for the type of device indicated by the request and is associated in the specification with that type of device (col. 11, lines 54-56, 62-64, "data... is aggregated and tagged according to a user-specific and device specific manner"); and

returning the extracted component to the originating device (col. 12, lines 36-38, "output records are delivered to specified devices").

In considering claim 2, Daswani further discloses that accessing a particular Web page comprises performing a series of navigation steps recorded in the specification from a first Web page to a final Web page from which the component is extracted (col. 11, lines 45-46, "the service navigates to a data source or sources specified in the request" using the template).

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In considering claim 3, as understood, Daswani further discloses receiving from the originating device one or more parameters that are associated with one or more of the navigation steps, and inserting each received parameter in its associated navigation step as that navigation step is performed (col. 11, lines 8-12, 45-49, wherein the request is used to perform the navigation steps).

In considering claim 4, Daswani further discloses that the originating client is a Web client (i.e. it makes a Web request).

In considering claim 5, Daswani further discloses transcoding the extracted component into a language that is supported by the Web client (col. 12, lines 5-10, "suitable language").

In considering claim 7, Daswani further discloses that the originating client is a telephone (col. 6, line 16).

In considering claim 8, Daswani further discloses transcoding the extracted component into a voice-response system format (col. 3, lines 56-59, "voice mail").

In considering claim 10, Daswani further discloses that the originating device is an electronic device that communicates through a protocol supported by the electronic device (col. 12, lines 5-12).

In considering claim 11, Daswani further discloses transcoding the extracted component into the protocol supported by the electronic device (col. 12, lines 5-12, "supported protocol").

In considering claim 12-15, 17-20, 22-25, 27-32, 34, and 36, these claims are all disclosed in the Daswani reference as well. See the previously cited sections. See also, cols. 7-8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daswani, in view of Business & High Tech Editors ("VoiceXML Forum Founders Submit VoiceXML 1.0 Specification to W3C," Business Wire, May 22, 2000, hereinafter "VoiceX").

In considering claims 9 and 35, Daswani further discloses the use of voice messages (col. 7, lines 36-38, "interactive voice response"; col. 3, lines 57-59, "voice mail" returned to the client), and additionally discloses the use of XML and audio in returned messages (col. 8, lines 60-65). Furthermore, VoiceXML is well known, as

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evidenced by VoiceX. In a similar art, VoiceX discloses that VoiceXML is a useful language for returning speech and language from Web sites over the Internet (i.e. "VoiceXML will simplify creation and delivery of Web-based, personalized interactive voice-response services"). Thus, given this knowledge, it would have been obvious to a person having ordinary skill in the art to use VoiceXML to return some of the data disclosed by Daswani, in order to simplify the delivery of the responses.

6. Claims 6, 16, 21, 26, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daswani, in view of Peek ("The XML-Specification Alphabet Soup," Information Today, Vol. 17, Iss. 1, Jan. 2000).

In considering claims 6, 16, 21, 26, and 33, although the system taught by Daswani discloses the use of XML, it does not get into the details of specific XML structures or mechanisms used. Thus, Daswani does not disclose that the extracting means uses an XPath expression in the specification for extracting the component. Nonetheless, XPath is a known, standard feature used in converting XML documents (see Peek, p. 2, section entitled "XSLT and XPath," i.e. "XSLT uses XPath to address parts of an XML document that an author wishes to transform"). Given this knowledge, it would have been obvious to a person having ordinary skill in the art to use XPath to aid in transforming the XML documents transformed in the system taught by Daswani, because XPath is a known standard mechanism that will not require additional development and programming to implement.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 571-272-3953. The examiner can normally be reached from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached at 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley Edelman

BE
February 17, 2005